

Remarks

Applicants note that in the Notice to Comply, the Office contends that the present application does not comply with the sequence listing rules under 37 C.F.R. §§ 1.821-1.825 for allegedly failing to contain a paper copy and a computer-readable copy of the sequence listing. Applicants respectfully disagree with these contentions, and respectfully assert that the present application is in full compliance with the sequence listing requirements. Specifically, Applicants note that a substitute paper copy of the sequence listing (pages 1-19) appears immediately following the drawings, and before the declaration, in the specification as filed on July 19, 2001. Thus, the specification complies with the requirement under 37 C.F.R. § 1.821(c) for a paper copy of the sequence listing as a separate part of the disclosure. In addition, Applicants note that in lieu of a computer-readable copy of the sequence listing on computer diskette, a Request to Open New Disk File ("the Request") in accordance with 37 C.F.R. § 1.821(e) was submitted with the present application on the filing date of July 19, 2001 requesting that the sequence listing disk submitted on April 15, 1999, in 35 U.S.C. § 120 priority Application No. 09/177,387 be entered into the present application as the sequence listing in the present application and the priority application are identical. Thus, the specification complies with the requirement under 37 C.F.R. § 1.821(e) for submission of a copy of the sequence listing in computer readable form.

As evidence of the receipt of the paper and computer readable copies of the sequence listing for the present application, Applicants submit herewith a copy of the return receipt postcard, bearing the date stamp of the USPTO and indicating receipt of these items with the present application on its filing date of July 19, 2001. Hence, Applicants respectfully assert

that the Notice to Comply has been issued in error and should be withdrawn. The Office of Initial Patent Examination ("OIPE") is respectfully requested to enter this reply into the official file wrapper of the present application and to forward the application to the examining group as soon as possible.

It is believed that a full and complete reply has been made to the outstanding Notice to Comply and, as such, the present application is in condition for immediate examination. If it is believed that, for any reason, that personal communication will expedite prosecution of this application, the OIPE and/or the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: Sept. 24, 2007

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005
(202) 371-2600

P:\USERS\MTRAN\0942\285000d\seq.listing response.wpd.wpd